

M/D 1

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

2008 FEB 27 A 9:47

William Aaron Rollins

Full name and prison name of
Plaintiff(s)

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

v.

CIVIL ACTION NO. 1:08cv33-MHT
(To be supplied by Clerk of U.S. District
Court)

Commander Reed

Sgt. Hirshey

Sgt. Buchanan

Name of person(s) who violated your
constitutional rights. (List the names
of all the person.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ☐ No ☒
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ☐ NO ☒
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) Non-Applicable

Defendant(s) " "

2. Court (if federal court, name the district; if state court, name the county)

Non-Applicable

3. Docket number Non-Applicable
4. Name of judge to whom case was assigned Non-Applicable
5. Disposition (for example: was the case dismissed? Was it appealed? Is it still pending?) Non-Applicable
6. Approximate date of filing lawsuit
7. Approximate date of disposition

II. PLACE OF PRESENT CONFINEMENT Kilby Correctional Facility
Monte Nevas, Alabama

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Houston County
Jail - Dothan, Alabama

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

	NAME	ADDRESS
1.	<u>Correction officer Buchman</u>	<u>901 E. Main Street</u>
2.	<u>Correction officer Kirsey</u>	<u>901 E. Main Street</u>
3.	<u>Commander Reed</u>	<u>901 E. Main Street</u>
4.	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED October 11, 2007

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE:

Fifth Amendment Due Process
violation: lengthy and arbitrary detention

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

On the date referred, correction officer Sgt Kirsey acting in his official capacity instructed that inmate Rollins was to be immediately escorted to lockdown without any substantiated basis and no tailored policy under motivational guidelines reasonably justified this course of action (at that time.)

GROUND TWO: 14th Amendment Due Process Clause violation:
Depriving inmate equal protection - Deliberate disregard of plaintiff's constitutional rights to due process.

SUPPORTING FACTS: On the date of Oct. 1, 2007 correction officer Sgt. Buchman, acting in her official capacity co-conspired directly with Sgt Kirsey to have Rollins deprived of rights by acknowledging that Rollins be put in cell restriction status without justification on the merits that Rollins interfered with Sheriff department's personnel (relating to the cell assignment discrepancy)

GROUND THREE: 5th Amendment Due Process violation
right to be afforded opportunity to confront accusers.
- manipulation of protocol

SUPPORTING FACTS: Rollins wasn't given time during being escorted to lockdown regarding to have situation adequately apprised by Sgt. Kirsey nor Sgt Buchman beforehand. These officers authorized Rollins be lockdown through "fabricated insights" by the officers on duty in the A-14 pod area.

(1) Correction Officer Moon and (2) Correction Officer Chaney (* refer to Exhibit I) ... included inside...
* "copy of appeal supplied upon request."

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

The claim of relief the plaintiff is asking the court
for Declaratory relief regarding the officers conduct
and compensatory damage relief for emotional
distress, and mental anguish in the amount of
\$13,700

William Kohn #161962
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 19, 2008
(Date)

William Kohn #161962
Signature of plaintiff(s)

(1) The following statement relates to the composition of this underlying lawsuit

William Aaron Rollins (plaintiff)

vs.

Commander Reed et al (Defendants)

- Ground one; concerns the factual manner that officer Kirsey willfully participated in the joint activity with officer Buchman to randomly deprive inmate Rollins of Due process (substantive and procedural) by using unvarified and opinionated declarations from officers Chancey and Moon regarding the conduct of inmate Rollins. Rollins exploited the necessary remedies but never was recognized & grievances toward sanction restriction action was not responded to by Commander Reed on issue of length of confinement (on record).

Special note of relevance: The plaintiff would like the Court to be aware that several grievances had been addressed to Houston County Sheriff Andy Hughes in his official capacity for the acts done by the Defendants and the policies that were implemented for the purposes of disciplinary action (no indication or response was received from Sheriff Hughes in relation to the Oct. 11, 2007 incident).

Exhibit I

Inmate Sanction/Restriction Documentation

Inmate Name: Rollins, William Date: 10-11-07 Inmate Number: 35564Pod Location: H-floor Pod/Cell Inmate moved to (If Applicable): B-9

Type of Restriction/Sanction: Date to Begin / Date to End

3 WKS (+) Suspension of Commissary Privileges 11-5-07 / 11-23-073 WKS (+) Loss of Visitation Privileges 11-3-4-07 / 11-10-11-07 DAYS () Minimum 72 Hours Cell Restriction / (+) Other 3 weeks lock-down 10-11-07 To 11-01-07

Note: The Sgt. / Asco must be notified immediately of any Sanction/Restriction applied to inmates and must countersign this form. Fill in the area below with a full and complete explanation of reasons for Sanction/Restriction. Appeal form must be sent back to Disciplinary Sgt. within 24 hours. If appeal form is not received within the 24 hour period it will be thrown out.

Officer Requesting Sanction/Restriction

A. Moon

Officer Authorizing Sanction/Restriction

Sgt. Re 10/11/07

At approximately 2000 hours I observed a discrepancy in the H-pod cell assignments. The Assignment showed I/m Rollins to be in H-6. I/m Rollins was on the floor. When I asked him about this, He stated, "They told me to move". I asked I/m Rollins who "they" was. He stated that he didn't know. I informed him to move back to that bunk. I/m Rollins became argumentative. At approximately 2020 I/m Williams stated to % Chancey, "I'm not going in that cell". At 2100 hours, % Chancey instructed I/m Williams to Pack for lock-down per Sgt. Kirksey & Sgt. Buchanan. He became very argumentative and eventually complied.

I/m Williams is in violation of rule # 11: No inmate will interfere with Sheriff's department personnel, nor will they disobey an order or instructions given by Sheriff's department personnel. Rule # 12: No inmate will leave his/her authorized area. Inmates must roll into their cells when told to do so. Females must be seated on their bunks.

Signature of Sgt. / Asco

C. [Signature]

Revised 03-26-2007

Keith Reed / Jail Commander